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PATENT  
AMENDMENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

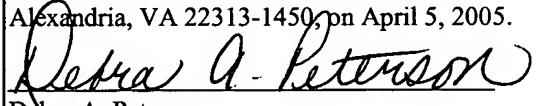
In re application of: Toshiharu Furukawa et al. : Date: April 5, 2005  
Group Art Unit: 2811 : IBM Corporation  
Examiner: Ori Nadav : Intellectual Property Law  
Serial No.: 10/767,065 : Dept. 917, Bldg. 006-1  
Filed: January 29, 2004 : 3605 Highway 52 North  
Title: VERTICAL NANOTUBE  
SEMICONDUCTOR DEVICE  
STRUCTURES AND METHODS  
OF FORMING THE SAME

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**CERTIFICATE OF MAILING  
UNDER 37 C.F.R. 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 5, 2005.

  
Debra A. Peterson

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)**

In response to the Notice of Non-Compliant Amendment (37 CFR 1.121) dated April 1, 2005, Applicants make the following changes:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this Response.

**Election to Restriction** is made on page 8 of this Response.

**Remarks** begin on page 9 of this Response.